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CHEROKEE LANDS.

REPORT.

The joint select committee on Cherokee lands, to whom was referred the petition of Samuel Tate and other citizens of Cherokee, requesting the General Assembly to pass a law for their relief, have had the same under consideration, and authorized the following report to be made thereon, to both branches of the Legislature :

In order to a proper understanding of the claims referred to in the memorial, it is necessary to advert to the laws under which these claims, and others of a similar character, originated.

At the land sales of 1820 and 1838, the lands acquired by treaty of the Cherokee Indians, were sold to the highest bidder, one-eighth paid down, and bonds payable in one, two, three and four years for the remaining three-fourths of the purchased money.

Some of the purchasers bid off their lands at probably twenty times the price the most of the lands owned by the State, east of the Blue Ride, were granted at. The country being remote from market, it was found that when the notes fell due, some of the purchasers were able to pay, and obtain grants for their lands, but a larger number, probably to the extent of three-fourths of the number of purchasers were unable to meet the payments due to the State ; subsequently a small portion of this class of purchasers applied to the Legis-

lature for relief, which was finally granted, and a large portion of the interest by the act of 1829 was forgiven—leaving however, the class that had paid for their lands unprovided for—probably to the number of two hundred persons.

Under the treaty of 1835, an additional quantity of land was acquired of the Cherokees, which was sold at the sale of 1838, by the State in the same manner as at the sale of 1820. When the bonds fell due, a portion of the purchasers were able to pay for their lands, and obtained grants therefor; and a large number of the purchasers, embracing probably nine-tenths of the whole number, were unable to make payment. This led, as under the sales of 1820, to applications being made to the Legislature for relief. It was shown that much more than the minimum price fixed on those lands by the commissioners and surveyors as the value of those lands, had already been paid, and that the State had realized more money from the sale of those mountain lands, than she had from all the sales of all her lands east of the Blue Ridge. The Legislature, finally, by the act of 1850, authorized commissioners to be appointed by the Governor of the State, who resided out of the Cherokee country, sold at the sales of 1820 and 1838, to value the tracts sold at the sale of 1838, that had not been paid for, with this limitation that the price should not be reduced below the minimum price fixed on them by the agents of the State as their value. The purchasers were to have credit for the payments previously made, and after giving approved security, were to have further time allowed to make payment. This provision of the law was complied with, and the bonds, and those given and to be given, have been appropriated to the building of turnpike roads in that country—the State to own stock to the extent of the notes transferred and pledged to that use by the acts of 1848 and 1854-'55. But it will be perceived that the acts referred to, make no provision for the class of purchasers who had paid for their land prior to the passage of the acts of 1829 and 1850; and the petitioners now claim that the State refund to them, in proportion to the allowance they would have received, if they had been embraced in the acts of

1829 and 1850. The claims are set forth on the accompanying paper, marked A., which in the aggregate, amount to \$6,056 00. The statement of the amount due to each of the claims embraced within the aggregate aforementioned, are not supported, in the opinion of the committee, by any evidence whatever.

What number of claims—if the present applicants be provided for—will come before the Legislature seems to be uncertain. Probably to the extent of three-fourths of the purchasers of Cherokee lands, who paid the State more than the minimum price of the land, which will probably not exceed two hundred additional claims. The committee, therefore, report the claims back to the Senate, and ask to be discharged from the further consideration thereof.

Respectfully submitted,

WM. H. THOMAS,
Chairman.

PETITION.

*To the honorable, the General Assembly
of the State of North-Carolina:*

The petition of sundry citizens of the counties of Cherokee, Macon and Burke, humbly complaining, respectfully show unto your honorable body, that at its session of 1850-'51, an act was passed, constituting a board of commissioners, to value all the lands reported as belonging to solvent purchasers, of Cherokee lands, at the sale of 1838. That said board proceeded to put a valuation on the lands of the solvent class of purchasers, and in discharging their duties under said act of 1850-'51, it was found that the price paid to the State of North-Carolina, by the said solvent class of purchasers, in a few cases, was much greater than the value put upon the said lands by the board of valuation. That agreeably to a former act of the Legislature, passed at the session of 1844-'45, a

large class of purchasers were reported by a board of valuation, insolvent, and were released from the payment of all the purchase money for their lands, due the State. Your petitioners deem it an act of justice, that some measure of relief should be extended to the said solvent purchasers, inasmuch as they were bound to pay the State the full sum of the purchase money for their lands.

Your petitioners, therefore, pray your honorable body to refund to them, respectively, the sums which they have paid the State, over and above the valuation of their lands, as estimated by the board of valuation, in bonds in the hands of the agent, for the collection of Cherokee bonds; and to grant such other and further relief to them, as to your honorable body may seem right and proper, and as in duty bound, your petitioners will ever pray.

Jacob Siler,
Jas. H. Perkins,
Sam'l. Tate,
D. F. Ramsour, (guardian of
heirs of N. A. Strange,)
W. Walker,
David McRee,
W. J. McRee,
M. Curtis,
Robt. Martin,
R. G. A. Love,
G. A. Lowdermilk,
C. T. Rogers,
A. J. Paton,
W. M. Sanderson,
Eli Sanderson,
W. Curtis,
N. G. Howell,
R. G. Kitron,
J. W. C. Purey,
Benj. Harris,
H. Martin,
Jno. Rolen,
J. D. Curtis,
G. W. Hayes,
Jas. Stuart,

E. Herbert,
J. H. Johnson,
Wm. Walker,
J. B. Brooks,
Jas. Cansler,
H. M. Penland,
B. Brittain,
E. M. Kilpatrick,
J. H. Henry,
Silas Ledford,
S. R. Leake,
H. H. Davidson, sheriff,
A. Taylor,
Wm. Leatherwood,
Jacob Lowdermilk,
G. F. Morris,
J. C. Dameron,
G. W. Hyde,
Wm. Cairnes,
M. Fain,
J. R. Dyche,
Jno. C. Moore,
H. Peat,
J. H. Bryson,
Q. Brame,
A. Cotten,

Joel Vannoy,
 D. Hennesa,
 D. Weeks,
 J. H. Jarrett,
 J. J. Baker,
 W. Beal,
 Geo. Bristol,
 E. P. Sharp,
 A. Harshaw,
 E. P. Kincaid,
 David Johnston,
 E. Johnston,
 W. Manchester,
 Joshua Harshaw,
 Jos. Willson,
 Jno. Anderson,
 Robt. Coffey,
 Nathan Coffey,
 R. S. Pass,
 Jno. O. Hicks,
 David Ledford,
 E. N. Davis,
 —. Wiggins,
 —. W. Stannings,
 —. G. Philips,

Jere Hancock,
 Willis Childing,
 W. B. McConnell,
 G. G. McRay,
 Miles McConnell,
 E. Hedden,
 Hensen Quin,
 P. B. Jatham,
 Jno. Matheson,
 A. Barnard,
 J. R. Siler,
 W. C. Tate,
 Jno. M. Tate,
 S. A. Bettis,
 E. M. Sudderth,
 W. C. Erwin,
 J. J. Erwin,
 R. C. Pearson,
 J. T. Avery,
 Jno. Collet,
 Jas. Avery,
 Jos. Corpening,
 Jno. C. McDowell,
 Junius C. Tate,
 J. B. Kincaid.

(A.)

NAMES OF PURCHASERS

Of Cherokee lands at the sale of 1838, who have paid more for their lands than the value estimated by the board of valuation, under the act of 1850 and '51.

Joshua Anderson,	\$ 84 00
J. H. Ammons,	25 09
J. F. Abernathy,	127 40
E. Ammons,	28 67
A. Barnard,	2,203 01
Nelson Burgin,	12 62

Golman Bryson,	\$ 7 36
John Beaver,	12 22
Barnet Birch,	6 68
Moses Curtis,	170 20
Wm. Crisp,	11 56
Henry Courtney,	17 40
Amos Curtis,	132 17
Madison Curtis,	34 66
D. Corpening,	53
Wm. M. Davis,	26 71
Rich. Edmonson,	1 33
Abm. Harshaw,	52 78
Geo. Hampton,	160 26
S. H. Johnson,	20 43
Samuel Jervis,	11 69
Jas. Kirkpatrick,	12 71
Jason Ledford,	390 94
J. L. Moore,	143 60
F. McGee,	9 02
Wm. Marr,	24 82
David McCay & Co.,	13 13
Mary McDowell,	104 17
Jno. McDowell,	1 37
Samuel Harris,	3 96
Saighton Rhea,	2 03
G. F. Rose,	63 93
Eli Sanderson,	27 36
Summey & Ramsour,	106 30
Benj. Stiles,	33 21
Jesse W. Sheam,	1 56
N. A. Strange,	847 87
Enos Shirlos,	19 98
Balis Standrige,	32 20
Jno. Sutton,	84 66
Samuel Tate,	1,307 99
Wm. Watson,	8 27
Jno. Woods,	25 58
Jos. Cockerham,	95 60
	\$ 6,056 00